

- (c) whether the Registrar of Village Panchayats was addressed in the matter by the same petitioners ;
 (d) what is the reply given by the Registrar, dated 16th Chingam 1109 to their petition dated 29th August 1934 ;
 (e) what has been done so far to redress their grievances ;
 (f) what more is under the consideration of the Government to meet their demands ?

Mr. P. V. Raphael:— (a) Yes.

(b) (i) The improvement of Ayyappankulam was dropped as it is not a poramboke tank used by all classes of people. But three more hydrants have been ordered to be put up in the locality. One of these will be put up this year and the other two next year, if funds permit.

(ii) A temporary drain over Malampuzha has already been sanctioned and put up in the current year.

(iii) Some of the lanes have already been improved. There are a few more yet to be improved and these will be repaired in succeeding years according to the availability of funds.

(iv) The question of the road to Pongode was put off since the work is not urgent.

(c) Yes.

(d) A copy of the reply is appended. (*Appendix II.*)

(e) Vide answer to (b) (i), (ii) and (iii).

(f) The improvement of the remaining lanes.

Land acquisition in Kunnamkulam.

204. Mr. K. T. Mathew:— Will the Government be pleased to print and place on the table the full Proceedings of the Diwan —Order D. Dis. 1325 of 10, dated 19th November 1934 (Development Department), together with the Excise Commissioner's letter No. 112 of 10, dated 14th October 1934 and the letter from the Director of Public Health No. C. 10 of 10, dated 2nd November 1934 ?

Rama Varmha Tampuran:— Copies of the papers are appended—(*Appendix III A, B and C.*)

Mr. K. T. Mathew:—In Appendix (c) it is stated "I am led to believe that the petition from the licensee can only be at the instigation of the parties interested. May I know on what basis this belief is formed and the factors which contributed to it."

Rama Varmha Tampuran:—Officers enquire and what they honestly feel they report to the Government.

Mr. K. T. Mathew:—Who enquired into that petition? Was it the Excise Commissioner or the Director of Public Health? It is seen from the Appendix (c) that a copy of the letter from the Excise Commissioner has been communicated to the Director of Public Health.

Rama Varmha Tampuran:—Both of them.

Mr. K. T. Mathew:—Was their verdict unanimous?

Rama Varmha Tampuran:—The Excise Commissioner reported that the presence of latrine at the place will be inconvenient. The Director of Public Health did not contest that statement. But he suggested a compromise for the same by saying that the latrine may be opened after the shop is removed.

Mr. K. T. Mathew:—Did the Excise Commissioner make a full enquiry in the matter before submitting the report to the Government?

Rama Varmha Tampuran:—I suppose he has.

Mr. K. T. Mathew:—Did he come to the same conclusion that the petition was instigated by the parties interested in the affair. It has not been mentioned in his report to the Government.

Rama Varmha Tampuran:—His report is there. This is all we have received from him.

Mr. K. T. Mathew:—From this am I to presume that he came to that belief without investigating?

Rama Varmha Tampuran:—He was not asked to report with regard to this particular point. Whatever he feels and whatever finds to be true he honestly reports.

Mr. K. T. Mathew:—Did the Government enquire whether the petition is instigated or not?

Rama Varmha Tampuran:—The Government had no necessity either to look into this particular point whether the petition has been instigated or not.

Mr. K. T. Mathew:—Did the Government specially ask the Director of Public Health to enquire into this matter whether it was instigated by the parties?

Rama Varmha Tampuran:—Neither of them was asked nor is it the practice of the Government to ask them to report on any particular point when a petition is forwarded for report.

Mr. K. T. Mathew:—Who was the principal officer to enquire into the petition, the Excise Commissioner or the Director of Public Health?

Rama Varmha Tampuran:—Copies of the petition were sent to both of them because it referred to two questions, one, the site of the toddy shop and the other the construction of a latrine and both of them reported. That is what is generally done. Copies are sent simultaneously to heads of departments and they report separately unless they are asked to report jointly.

Mr. K. T. Mathew:—Did the Government refer the matter again to the Excise Commissioner for report?

Rama Varmha Tampuran:—Sometimes they refer it to another officer. Sometimes they reconcile the difference in the

Huzur Office itself. If they find that one officer has reported on a particular point which is relevant that point is again remitted to the officer that has not reported on it for remarks. In this way all necessary materials are collected in the Huzur Office and the Diwan passes final orders.

Mr. K. T. Mathew:—Is this not an important aspect in making enquiries into petitions to know whether the petition has been submitted by the parties interested or not?

Rama Varmha Tampuran:—Sometimes it is and sometimes not. This minor point is rather unimportant in this case. Sometimes the balance between the merits and demerits of a situation becomes so equal that considerations like this will have to be given weight.

Mr. K. T. Mathew:—Was he able to find out that it came from interested parties?

Rama Varmha Tampuran:—The Excise Commissioner has not said anything on the point.

Mr. K. T. Mathew:—Then why not ask the Excise Commissioner to report on that point?

Rama Varmha Tampuran:—Government cannot ask him to report on that point. Government do not want a report on that. It will not be correct for them.

Mr. K. T. Mathew:—Is it not an important factor to find out whether a petition comes from interested parties or not?

Rama Varmha Tampuran:—As I said before sometimes it becomes very important. Sometimes it is not. In this particular case it has become very indifferent, because there are other issues and it was on the merits of these issues that it was decided.

Mr. K. T. Mathew:—How is it that it is not material in this particular case?

Rama Varmha Tampuran:—Because there were other issues. A good compromise has been arrived at. Then why should we look into the origin of the question.

Mr. K. T. Mathew:—What is the compromise?

Rama Varmha Tampuran:—The compromise is that the latrine would be opened immediately after the shop is shifted. The shop will be shifted early this year. Acquisition proceedings are nearly over. I do not think there will be any delay on this matter.

Mr. K. M. Ibrahim:—In an enquiry of this kind, should not the *bona-fides* of that petition be looked into by the enquiring officer?

President:—That point has been answered enormously.